



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

April 1, 1996

Mr. Thomas E. Moody IV  
Chief Deputy  
Burnet County Sheriff's Department  
P.O. Box 216  
Burnet, Texas 78611

OR96-0469

Dear Mr. Moody:

You have asked this office to determine if certain information is subject to required public disclosure under chapter 552 of the Government Code. Your request for a decision has been assigned ID# 38937.<sup>1</sup>

Burnet County (the "county") received a request from the City of Granite Shoals for a copy of a 9-1-1 tape, portions of which you contend are excepted from disclosure pursuant to section 552.101 of the Government Code. We note initially that a state governmental body may generally transfer information to another state governmental body without violating the confidentiality of the transferred information or waiving exceptions to disclosure. Open Records Decision No. 516 (1989) at 5; *see also* Gov't Code § 552.007 (selective release of information generally prohibited). Therefore, in addressing your request for a decision we assume that you are not asking about an intergovernmental transfer of information, but rather are asking whether the 9-1-1 tape submitted to this office may be publicly disclosed.

Section 552.101 excepts information from required public disclosure "if it is information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This section allows information to be withheld under common-law

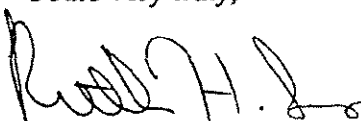
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<sup>1</sup>The requestor apparently also sought other tape recordings from the sheriff's dispatch department. Your letter to the requestor, dated February 19, 1996, indicates that you planned to review the requested tapes and seek a decision from this office for information that you believed could be withheld under an exception to disclosure. As you have not submitted other tapes to this office, we assume that you released the other tapes and that the 9-1-1 tape submitted to this office is the only one at issue.

public. *Industrial Found. v. Texas Indus. Accident Bd.*, 540 S.W. 2d 668, 682 (Tex. 1976), *cert. denied*, 430 U.S. 931 (1977); Open Records Decision No. 328 (1982) at 2-3. We have reviewed the tape at issue and conclude that you must withhold from disclosure the name and address of the individual who made the call for medical assistance for her child. The other information at issue must be released.

We are resolving this matter with an informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and should not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office

Yours very truly,

A handwritten signature in black ink, appearing to read 'Ruth H. Soucy', with a stylized flourish at the end.

Ruth H. Soucy  
Assistant Attorney General  
Open Records Division

RHS/ch

Ref.: ID# 38937

Enclosures: Submitted tapes

cc: Mr. H. Bryan Hicks  
Attorney at Law  
608 Highway 281, Ste. 100  
Marble Falls, Texas 78654  
(w/o enclosures)